

Application No. 10/849,533  
Amendment Dated June 23, 2005  
Reply to Office Action of June 15, 2005

**REMARKS/ARGUMENTS:**

Restriction is required between Invention I (claims 1 – 14) for an electrical connector and Invention II (claims 15 – 20) for a method of operating the electrical connector under a load.

In response to the restriction requirement, an election of Invention I, claims 1 – 14, is made with traverse. The restriction requirement is traversed for the reasons set forth below. Reconsideration of the restriction requirement is respectfully requested.

Invention I is for an electrical connector, which is classified in class 439, subclass 181. Invention II is for a method of operating the electrical connector under a load, which is classified in class 29. In support of the restriction requirement, it is alleged that the apparatus of Invention I can be operated when not under a load. While the method of operating the electrical connector of Invention II recites the presence of a load, such load results in the creation of an arc that generates gas that interacts with structural features of the apparatus of Invention I. For example, gas generated by the arc applies force to move a first piston-contact element in Invention II, and Invention I recites a piston-contact element slidably received in an inner bore of the housing of the electrical connector. Additionally, Invention II recites spacing a resilient member from a groove to permit movement of the piston-contact element, and Invention I recites a resilient member received in a groove to releasably retain the piston-contact element in one of a retracted or advanced position. Therefore, both Invention I and Invention II share several features, such as a movable piston-contact element and a resilient member to releasably retain the piston-contact element in a desired position. Invention I and Invention II are sufficiently related and should be examined together.

Moreover, Applicants note that “[i]f the search and examination of an entire application can be made *without* serious burden, the Examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions.” MPEP § 803 (emphasis added). Invention I recites an electrical connector, while Invention II recites operation of an electrical connector. As noted above, both Invention I and Invention II share several features. Moreover, both Invention I and Invention II relate to an electrical

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connector, so that there is no divergent subject matter. Therefore, there would be no serious burden on the Examiner to examine the entire application together.

Furthermore, the Examiner notes that the operation of the electrical connector (Invention II) would be classified in class 29, without suggesting an appropriate subclass. Class 29 is entitled "Metal Working," which is defined as "the generic class of metal working or shaping." However, class 29 does not appear to be an appropriate class to search for a method of operating an electrical connector, particularly since Invention II is not directed to manufacturing the parts of the electrical connector. The class/subclass specified by the Examiner with regard to Invention I (class 439/subclass 181) is entitled "electrical connectors/including arc suppressing or extinguishing means." This classification seems more appropriate for Invention II, which recites quenching an arc. Therefore, both Invention I and Invention II should be searched together, such that there would not be a serious burden on the Examiner to examine the application together.

Therefore, Applicant submits that the restriction requirement between Invention I and Invention II is improper and should be withdrawn.

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In view of the foregoing comments, Applicants respectfully request reconsideration of the election requirement and examination of all claims on the merits. Prompt and favorable action is solicited.

Respectfully Submitted,

  
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